

**MINUTES  
POLICY ADVISORY OPINION COMMITTEE MEETING  
TEXAS BOARD OF PROFESSIONAL ENGINEERS  
1917 IH-35 SOUTH, BOARD ROOM, AUSTIN, TEXAS  
MAY 23, 2013— 8:30 AM**

**CALL TO ORDER.** Carry Baker, Committee Chair called the Policy Advisory Opinion Committee meeting of the Texas Board of Professional Engineers (TBPE) to order at 8:31 a.m. on May 23, 2013, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX. (NOTE: All votes are unanimous, unless noted otherwise.)

**1. Roll call and welcome visitors.**

Carry A. Baker, JD	Chair
Sina Nejad, P.E., P. Eng.	Member
Edward Summers, Ph.D.	Member
Kyle Womack, P.E.	Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Edmundo Gonzalez, Jr., P.E, Emeritus Board Member was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
C.W. Clark, P.E.	Director of Compliance & Enforcement
Charles Pennington, P.E.	Staff Engineer
Dewey Helmcamp, III JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

**Visitors.** Shawn Bodine, P.E., Flint Hill Resources; Terry Bilderback, Texas Society of Professional Engineers (TSPE); Ken O'Brien, Texas Department of Transportation (TxDOT).

- 2. Public comment.** Mr. Bodine commented that he is requesting clear interpretation of the Industrial Exemption rule by the Board.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING ITEMS (AGENDA ITEMS 3-5):**

**3. Summary of Policy Advisory Opinion Committee.**

Mr. Clark reviewed the process of the policy advisory opinion request with the Committee members (provided as an exhibit).

**4. Engineering Advisory Opinion Request.**

- **Present, discuss and possibly approve for consideration EAOR #34 – Industry Exemption.**

Mr. Pennington explained that EAOR#34 is requesting the Board issue a Policy Advisory Opinion regarding statutory industry exemptions as they apply to consulting companies performing engineering from their own offices for industrial clients. After further discussion, the Committee members agreed that a Board liaison should be assigned to work with staff on the policy advisory and response.

It was MOVED/SECONDED (Summers/Womack) to recommend to the Board at its Regular Quarterly meeting on May 23, 2013, to accept EAOR#34, and assign Board Member R. Kyle Womack, P.E., as the liaison to work with staff on the request.

A vote was taken and the MOTION PASSED.

• **Present, discuss and possibly approve for consideration a response to EAOR #35 – Oil Well Production Casing String Design.**

Mr. Pennington reported that this Policy Advisory Opinion Request was a result of an email exchange regarding whether a professional engineer is required to design the production casing string of an oil well. Mr. Pennington reported that a letter response from the executive director would be appropriate as the question can be answered from current statute and rules.

It was MOVED/SECONDED (Womack/Nejad) to recommend to the Board at its Regular Quarterly meeting on May 23, 2013, to accept EAOR#35, and the response submitted to the Committee with the recommended edit be sent to the requestor.

A vote was taken and the MOTION PASSED.

5. **Issues for consideration and schedule next meeting.**  
None.

**ADJOURN.**

It was MOVED/SECONDED (Womack/Nejad) to adjourn the meeting at 9:02 am. A vote was taken and the MOTION PASSED.

Date Committee approved as submitted:	August 29, 2013
Date Board accepted:	August 29, 2013